

**ENTERED**

October 04, 2018

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION**

RHOMA BANNIER,

Plaintiff,

VS.

ELIZABETH CORDOVA, *et al*,

Defendants.

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CIVIL NO. 2:17-CV-154

**ORDER**

The Court has received the Magistrate Judge's July 6, 2017, Memorandum and Recommendation ("M&R"), Dkt. No. 10, and Plaintiff's objections to the M&R, Dkt. No. 12.

Pursuant to Federal Rule of Civil Procedure 72(b), the Court has reviewed the M&R, the record, and the applicable law *de novo*. The Court **ADOPTS** the July 6, 2017 M&R, Dkt. No. 10, and **OVERRULES** Plaintiff's objections, Dkt. No. 12. The Court hereby:

- **RETAINS** Plaintiff's retaliation claim against Defendant Elizabeth Cordova in her individual capacity;
- **DISMISSES** Plaintiff's claims for money damages against all Defendants in their official capacities as barred by the Eleventh Amendment;
- **DISMISSES** Plaintiff's remaining claims for failure to state a claim and/or as frivolous pursuant to 28 U.S.C. §§ 1915(e)(2)(B) and 1915A(b)(1).

SIGNED this 4th day of October, 2018.



Hilda Tagle  
Senior United States District Judge